



Hawaii Public Housing Authority
Annual Plan
Fiscal Year 2014

RAB Comments and HPHA Response
Changes and New Objectives Contained in the 2012 PHA Annual Plan
(FY 2013-2014)

1. **Controlled Substances Policies:** The HPHA adopted proposed Hawaii Administrative Rule (HAR) revisions to prohibit smoking in public housing. After final adoption of these amendments, the HPHA will provide tenants with revised leases or lease addenda outlining enforcement strategies for the new smoking prohibition.

RAB comment: The RAB disagrees with several provisions in the HPHA decision to implement a "No Smoking" policy:

- Three lease violations are not enough, and RAB would like it to be five lease violations before an eviction takes place.
- Three months grace period before lease violations are given is not enough time, and RAB would like it to be five months before a lease violation is given.
- Very concerned about tenants with mental disabilities, and believes that we are not prepared to deal with situations when they are denied the ability to smoke in their units.
- Very concerned about the validity of the "No Smoking" policy survey, and believes that the survey is invalid due to the absence of 100% participation and the absence of interpreters.
- Very concerned that "No Smoking" signage needs to be abundant at all properties.
- Very concerned that cessation programs need to be available to tenants who want to quit smoking.
- Would like to see a policy where if people complain about someone smoking on the property, it needs to be in writing so there is proof, and would like to see a standard complaint form.
- Would like to allow tenants to smoke in their units.
- Visitors will affect the people who come over and smoke, so how to police that?



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- Does not believe that “Electronic Smoking Devices” should be included in the “No Smoking” policy. These devices are not under law definition of smoking. Why punish those who are trying an alternative that does not bother neighbors?
- Have security or manager pass out “No Smoking” literature, have DOH participate in visiting properties and also a property health fair in April?
- Some properties do not have enough space to designate a smoking area.

HPHA Response: The HPHA notes the concerns of the RAB regarding the new “No Smoking” policy. The policy is tailored to the law that the Hawaii State Legislature passed last year, but was vetoed by Governor Neil Abercrombie, which included several provisions that directly relate to the three lease violations clause, and the “no smoking in units” clause. This effort incorporated the input from tenants, the U.S. Department of Housing and Urban Development (HUD), the Department of Health, the Coalition for a Tobacco Free Hawaii and the Department of the Attorney General to ensure compliance with all relevant regulations. The HPHA will incorporate into the “No Smoking” policy that if a tenant is reprimanded once in one year, and the tenant attends a cessation service program, then that tenant’s record for violating the “No Smoking” policy will be wiped clean for the next year. Furthermore, the HPHA will incorporate into the “No Smoking” policy that if a tenant obtains a medical physician’s note that states the tenant, due to medical necessity needs to smoke in their unit, then the HPHA will consider granting the tenant a reasonable accommodation on a case-by-case basis. The HPHA will continue to work with the RAB in determining where to designate smoking areas, enforcement of the “No Smoking” policy, signage and the use of “Electronic Smoking Devices”.

2. Housing Choice Voucher Administrative Plan: The HPHA is amending the Section 8 Administrative Plan to eliminate current preferences from eligibility screening. The HPHA will select applicants off the waitlist in the order of date and time of application.

RAB comment: Unanimous support.

HPHA Response: The HPHA appreciates the support of the RAB and will continue to consult with the RAB on future policy changes.



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3. Violence Against Women Act (VAWA) Policy: The HPHA is adopting a final VAWA Policy, which will replace the interim policy that has been in place. See VAWA Activities policy (separate document).

RAB comment: Unanimous support.

HPHA Response: The HPHA appreciates the support of the RAB and will continue to consult with the RAB on future policy changes.

4. In order to facilitate the improvement, modernization, development, or maintenance of public housing, the HPHA may incorporate an affiliate entity or instrumentality entity, as prescribed by relevant Federal regulations and state law.

RAB comment: Unanimous support.

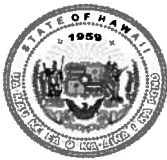
HPHA Response: The HPHA appreciates the support of the RAB and will continue to consult with the RAB on future policy changes.

5. Asset Management: In order to improve daily property management and maintenance operations, the HPHA may create additional asset management projects, or developments.

RAB comment: The RAB comments to improve the determination of the required staff needed to perform daily management and maintenance operations are to incorporate a formula that uses square footage of properties to the amount of staff needed, and to allow current tenants to maintain their individual asset management project.

HPHA Response: The HPHA currently staffs asset management projects by determining best use practices with the input of utility and operating expenses. In theory, a single formula to determine the required staff per asset management project could be implemented. However, due to the many different sized asset management projects, a single formula to apply to all properties is unfeasible. The HPHA appreciates the support of the RAB and will continue to consult with the RAB on future policy changes.

6. Long Range Planning: The HPHA will begin the development of the PHA 5-Year and Annual Plan for Fiscal Years 2014-2019. The HPHA Staff will investigate, review, and update other U.S. Department of Housing &



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Urban Development-required or -recommended long and short range planning documents.

RAB comment: Unanimous support.

HPHA Response: The HPHA appreciates the support of the RAB and will continue to consult with the RAB on future policy changes.

7. HAR Revisions: The Board adopted revisions to 17-2020, HAR, and 17-2028, HAR, at its September monthly meeting which will result in future lease and ACOP changes. Interested parties are encouraged to check the HPHA's website for public hearing announcements and testimony submission options regarding proposed HAR Amendments. Notable changes include the implementation of a minimum rent, waiting list policy revisions, and implementation of video-conferencing technology for eviction hearings.

RAB comment: Unanimous support.

HPHA Response: The HPHA appreciates the support of the RAB and will continue to consult with the RAB on future policy changes.

8. Eviction procedures: The HPHA plans to pursue law or policy changes pertaining to the streamlining of eviction procedures for evictions based on criminal activity, consistent with the due process protections required under federal regulations.

RAB comment: The RAB requests to have a standard complaint form to verify all complaints to be in writing, and would like to know what types of criminal activities call for due process determinations from HUD. The RAB offers its unanimous support.

HPHA response: The HPHA will take the standard complaint form request into consideration with the Board of Directors. Due process determinations from HUD relate to:

- (A) Any criminal activity that threatens the health, safety or right to peaceful enjoyment of the premises of other residents or employees of the PHA;
- (B) Any violent or drug-related criminal activity on or off such premises;
or
- (C) Any criminal activity that resulted in felony conviction of a household member.



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9. ACOP Revisions: The HPHA plans to pursue policy changes pertaining to the retention of public housing units. Also, as Board-adopted HAR revisions take effect, ACOP revisions will be proposed and developed in consultation with the Resident Advisory Board.

RAB comment: The RAB would like the HPHA to adopt a preference for existing tenants with the longest rental history with the HPHA for unit transfers, allow children who leave the unit to be reincluded in the household, and to allow the rental payment to be bi-monthly.

HPHA Response: Currently, the HPHA gives preference for transfers to tenants who require a reasonable accommodation, have health or safety issues, or are over/under housed. The HPHA does not provide preference based on the length of time a family lives in public housing. The HPHA does not allow adult children who leave a unit to return to public housing without waiting their turn on the wait list. This would not only circumvent the existing waitlist, but be contrary to the intent that public housing should be more transitional in nature, rather than generational.

10. Pet Policy: The HPHA plans to pursue changes to the pet policy as described in attached 10 relating to the pet policy.

RAB comment: Unanimous support.

HPHA Response: The HPHA appreciates the support of the RAB and will continue to consult with the RAB on future policy changes.

11. PHAS Scoring Improvements: The HPHA plans to revise program policies and practices to maximize on the scoring factors used by the U.S. Department of Housing & Urban Development to assign Public Housing Assessment System (PHAS) scores. Areas of focus include tenant account receivables, physical inspection results, and rent revenues. Identification and improvement of vacant units will be prioritized behind health and safety issues.

RAB comment: The issue of mold at Koolau Village is an ongoing issue, and maintenance personnel are not following up on mold removal tenant requests. The RAB also requests to have property managers evaluated four times a year. The RAB offers its unanimous support.



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HPHA comment: The RAB concerns will be discussed at future AMP management meetings.

12. Capital Improvements: The HPHA may leverage State-funded capital funds to improve or modernize Federal public housing statewide. The HPHA may participate in experimental programs to leverage Federal funds, such as the Rental Assistance Demonstration program. See also Section 8.0, *infra*.

RAB comment: The RAB understands the plight of Mayor Wright Homes, but also requests that serious consideration be provided to all other distressed properties, especially on the neighbor islands. A request to have a stone wall erected at Koolau Village was also offered. The RAB offers its unanimous support.

HPHA comment: The RAB concerns are well taken, and will be incorporated into future planning, maintenance and redevelopment ventures.

13. The HPHA will seek state and federal funds to redevelop Mayor Wright Homes, including low-income housing tax credits, rental housing trust funds, dwelling unit revolving funds, Choice Neighborhoods Initiative grant funds, Promise Neighborhood grant funds, Sustainable Community funds, Capital Fund Financing Program, Replacement Housing Factor funding, Asset Repositioning fees, and any other federal, state, or local source, including issuance of PHA bonds pursuant to Chapter 356D, Hawaii Revised Statutes.

RAB comment: Unanimous support.

HPHA Response: The HPHA appreciates the support of the RAB and will continue to consult with the RAB on future policy changes.